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1618

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number

10/588,428

Filing Date

August 4, 2006

First Named Inventor

Hiroshi Nagai

Art Unit

1618

Examiner Name

Perreira, Melissa Jean

Attorney Docket Number

SHOB-0005 (037498-006)

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/
Incomplete Application

☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s)
(please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Thelen Reid Brown Raysman & Steiner LLP

Signature

Printed Name

David B. Ritchie

Date

January 4, 2008

Reg. No.

31,562

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Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiroshi Nagai et al.
SERIAL NO.: 10/588,428
FILING DATE: August 4, 2006 CONFIRMATION NO.: 9228
TITLE: Functional Beverage And Composition
EXAMINER: Perreira, Melissa Jean
TELEPHONE: (571) 272-1354
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ART UNIT: 1618

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

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P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is responsive to the Office Action mailed **October 4, 2007**. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page **2** of this paper.

Remarks begin on page **5** of this paper.